

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 * * *

4 DAVID PARKER,

Case No. 2:17-cv-02892-APG-NJK

5 Plaintiff,

ORDER

6 v.

7 JOSEPH LOMBARDO, *et al.*,

8 Defendants.
9

10 Plaintiff, a former prisoner, filed this action under 42 U.S.C. § 1983. I previously stayed
11 the case for purposes of mediation and ordered the Attorney General's Office to advise the court
12 whether it would enter a limited notice of appearance on behalf of the defendants for purposes of
13 settlement. ECF No. 7 at 13, 14.

14 I should not have stayed the case for purposes of settlement discussion in the Inmate Early
15 Mediation Program as the defendants do not work for the State of Nevada. Therefore, I will lift
16 the stay and this case may proceed.

17 IT IS ORDERED that the stay is lifted and this case will proceed.

18 IT IS FURTHER ORDERED that the Attorney General's Office is no longer required to
19 notify the court if it will enter a limited notice of appearance for purposes of settlement.

20 IT IS FURTHER ORDERED that the Clerk of Court SHALL ISSUE summonses for
21 defendants Clark County, Sheriff Joseph Lombardo, Naph-Care, Inc., James S. McLane, Steve
22 Sisolak, Marilyn Kirkpatrick, Larry Brown, Lawrence Weekly, Chris Giunchigliani, Susan Brager,
23 and James B. Gibson. The Clerk of Court SHALL DELIVER THE SUMMONSES to the U.S.
Marshal for service. The Clerk SHALL SEND to Plaintiff 11 USM-285 forms. The Clerk also
SHALL SEND a copy of the first amended complaint (ECF No. 8) and a copy of this order and
the screening order (ECF No. 7) to the U.S. Marshal for service on the defendants. Plaintiff shall

1 have 30 days within which to furnish to the U.S. Marshal the required USM-285 forms with
2 relevant information as to each defendant on each form. Within 20 days after receiving from the
3 U.S. Marshal a copy of the USM-285 forms showing whether service has been accomplished,
4 Plaintiff must file a notice with the court identifying which defendants were served and which
5 were not served, if any. If Plaintiff wishes to have service again attempted on an unserved
6 defendant, then a motion must be filed with the court identifying the unserved defendants and
7 specifying a more detailed name and/or address for each such defendant, or whether some other
8 manner of service should be attempted.

9 IT IS FURTHER ORDERED that going forward, Plaintiff shall serve upon the defendants
10 or, if appearance has been entered by counsel, upon the attorney, a copy of every pleading, motion
11 or other document submitted for consideration by the court. Plaintiff shall include with the original
12 paper submitted for filing a certificate stating the date that a true and correct copy of the document
13 was mailed to the defendants or counsel. The court may disregard any paper received by a district
14 judge or magistrate judge which has not been filed with the clerk, and any paper received by a
15 district judge, magistrate judge, or the clerk which fails to include a certificate of service.

16 DATED THIS 27th day of March, 2019.



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19 Andrew P. Gordon
20 UNITED STATES DISTRICT JUDGE
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